Alan L. Joscelyn GOUGH, SHANAHAN, JOHNSON, & WATERMAN, PLLP

33 S. Last Chance Gulch

Helena, MT 59601 Tel: 406-442-8560

Email: alj@gsjw.com

David A. Handzo JENNER & BLOCK LLP 1099 New York Avenue NW Suite 900 Washington, DC 20001 Tel: 202-639-6000

Email: dhandzo@jenner.com

Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA, BILLINGS DIVISION

)
NEIL DEERING, individually,) Case No. CV-10-63-BLG-RFC
and on behalf of himself and all others)
similarly situated,) MOTION FOR LEAVE
) TO FILE UNDER SEAL
Plaintiff,)
)
v.)
)
CENTURY TEL, INC., a Louisiana)
corporation, CENTURYTEL)
BROADBAND SERVICES, LLC, a)
Louisiana corporation, and)
CENTURYTEL SERVICE GROUP,)
LLC, a Louisiana corporation,)
•)
Defendants.)
)

MOTION FOR LEAVE TO FILE UNDER SEAL

Defendants CenturyTel, Inc., CenturyTel Broadband Services, LLC, and CenturyTel Service Group, LLC (collectively, "Defendants" or "CenturyTel"), hereby move for leave to file under seal their Motion to Exclude Portions of Andrew Case's Testimony, along with its corresponding Brief and Exhibits. Included in Defendants' Brief are quotes from a declaration (Exhibit A) and deposition transcript (Exhibit B) of Andrew Case, which rely in part upon information subject to a protective order in *Dan Valentine*, et al. v. Nebuad, Inc., et al., CV-08-5113 (TEH), before the United States District Court for the Northern District of California. Defendants made repeated attempts to contact Plaintiff's counsel but voicemails and emails were not returned.

WHEREFORE, for the foregoing reason, Defendants hereby move for leave to file under seal their Motion to Exclude Portions of Andrew Case's Testimony along with its corresponding Brief and Exhibits.

Dated: May 13, 2011 Respectfully submitted,

/s/ Alan L. Joscelyn

Alan L. Joscelyn GOUGH, SHANAHAN, JOHNSON & WATERMAN, PLLP